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To all Interested Parties, Statutory
Parties and Other Persons

Your Ref:

Our Ref: EN010084

Date: 4 April 2019

Dear Sir/ Madam

The Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8(3) and Rule 9

Application by Vattenfall Wind Power Limited for an Order Granting Development Consent for the Thanet Extension Offshore Wind Farm

Procedural Decisions and Amended Examination Timetable

I am writing to you to advise of procedural decisions taken by the Examining Authority (ExA) and changes to the Timetable for the Thanet Extension Offshore Wind Farm Examination.

You have received this letter because the law requires that where an Examination Timetable is changed, all persons already involved in the Examination together with all persons entitled to be notified of the acceptance and Examination arrangements for the application must be notified. Further information about your status in the Examination is set out below.

This letter provides you with procedural decisions about the Examination process including hearings to be held in April 2019, an amended Examination Timetable, and other important information about the Examination.

The Examining Authority (ExA) has made Procedural Decisions (PD) about the way the application will be examined that have amended the timetable attached to the Rule 8(3) Letter of 1 March 2019 (the 'PD of 1 March 2019'). The Examination Timetable attached at Annex A replaces the Examination Timetable of 1 March 2019 with effect from item 18A on Friday 5 April 2019.

Procedural Decisions to support these changes and the reasoning for them are set out in the balance of this letter.

Procedural Decisions and reasons

Effects of the non-submission of the revised NRA and ES addendum at Deadline 4

The decision by the Applicant not to submit a revised Navigation Risk Assessment (NRA) and an Environmental Statement (ES) Addendum responding to its Structures Exclusion Zone (SEZ) proposal [[REP4-018](#)] and updated Offshore Works Plan [[REP4-028](#)] at Deadline 4 and its proposal not to submit them until Deadline 4A have the following effects:

- The relevant interested parties (IPs)¹ cannot judge the question of whether matters remain in contention, or make decisions about, form and submit the evidence that they may need to rely upon in ISH8 at Deadline 4A if they are unable to see the evidence on which the Applicant relies to support its SEZ proposal until what was Deadline 4A (9 April 2019).
- The ExA cannot judge the question of whether the SEZ proposal amounts to a material change and prospective consultees on a material change proposal cannot be expected to respond to it until it has been completely documented, which at present the Applicant has indicated will not occur until what was Deadline 4A.

It follows from these circumstances that it is the ExA's view that the PD of 1 March 2019 no longer provides a fair or adequate basis on which to proceed towards ISH8 from 16 April and that new procedural decisions and changes to the Examination Timetable are required.

Cancellation of the PD and Examination Timetable of 1 March 2019

In order to address these issues, the PD and the Examination Timetable of 1 March 2019 are cancelled, and the following procedural decisions and the Examination Timetable in **Annex A** are now in force.

Submission and distribution of the amended NRA and ES Addendum

The Applicant must submit to the ExA and simultaneously distribute by email to the relevant IPs all outstanding documentation recording amendments to the NRA and the ES Addendum, necessary to ensure a full understanding of the evidence base for the SEZ proposal [[REP4-018](#)] by **new Deadline 4B on 5 April 2019 at 5pm**. Whilst simultaneous distribution to IPs is not a normal procedure in National Infrastructure Examinations, the ExA consider that it is necessary in this instance to maximise the available time for relevant IPs and the ExA to prepare for ISH8 and for further procedural decisions, in circumstances where it might have been anticipated that this material would have been submitted at Deadline 4. Submitted documents will be published on the National Infrastructure Planning website as soon as possible after receipt, indicatively by 5pm on 9 April 2019. **Annex B** provides additional guidance on the persons to be included in the simultaneous distribution process.

¹ The 'relevant IPs' are: the participants in ISH2 on 12 December 2019 and in ISH5 and 6 on 20 February 2019 with interests in Maritime, Shipping, Navigation and Safety considerations at sea. They include both Interested Parties and Other Persons invited to participate in the Examination by the ExA. They are listed in **Annex B**.

Advance submission of evidence for hearing on contended matters

In circumstances where it becomes necessary for ISH8 to hear evidence on substantial technical matters in contention (relating to shipping, pilotage services, navigation safety, port operation and any other material necessary to provide the evidence base for the SEZ proposal or assessments of its effects), a list of experts whose evidence will be heard and advance written statements of evidence must be submitted by **new Deadline 4C on 10 April 2019**. Lists of experts and written statements of evidence must be submitted and simultaneously distributed by email to the Applicant and relevant IPs. Submitted documents will be published on the National Infrastructure Planning website as soon as possible after receipt, indicatively by 5pm on 12 April 2019.

When considering what to submit at Deadline 4C, relevant IPs are advised to review the material submitted by the Applicant at Deadline 4 and Deadline 4B to provide the evidence base for the SEZ proposal or assessments of its effects or for related propositions that navigation risk and related effects are now sufficiently controlled. Where material is substantially technical in nature and is disputed by a relevant IP who intends to call their own expert(s) to advance an alternative position at ISH8, their expert's name and qualifications must be listed, the body of disputed material must be identified and a written statement of matters to be raised by the expert must be provided at Deadline 4C. Recognising the shortness of time, the ExA is content for this task to be carried out on a summary basis, but it must be documented sufficiently for the ExA, the Applicant and IPs or other Persons to be aware in advance of the evidence to be advanced.

The Applicant is to prepare on the basis that any expert on whose evidence they rely upon to provide the evidence base for the SEZ proposal or assessments of its effects may be cross examined on substantial technical matters in contention. Relevant IPs are to prepare on the basis that the evidence of any expert that they list in their Deadline 4C submission may also be cross examined on substantial technical matters in contention.

ExA procedural decision on Material Change

The ExA will make and publish a further procedural decision about whether to accept the SEZ proposal as a material change to the submitted Application and about the procedural consequences of the change [[REP4-001](#)], after it has reviewed the material submitted at **new Deadline 4B** (D4B). The Applicant is advised not to commence consultation until that decision has been made.

Conduct of ISH8 hearing on contended and uncontended matters

The ExA confirms that subject to its review of evidence before ISH8 and to its consideration of requests made during that hearing, cross-examination may be used where it will assist in identifying the principal differences and the reasons for those differences between contended bodies of evidence on the same subject matter. The ExA does not propose to enable cross-examination in respect of matters and issues where evidence is not contended.

The ExA has decided to reserve a period on the evening of 16 April 2019 to hear IPs associated with fishing and fisheries within ISH8, but distinct from potentially contended submissions and evidence on shipping, pilotage services, general navigation safety and port operation matters. The decisions above in relation to

advance provision of lists of experts and written statements of evidence and to the possible use of cross-examination do not apply to fishing and fisheries IPs.

The ExA will also be hearing general environmental, Habitats Regulation Assessment (HRA) and construction-related submissions in ISH8 that do not relate to the maritime environment and are not affected by the SEZ proposal. The decisions above in relation to advance provision of lists of experts, to written statements of evidence and to the possible use of cross-examination do not apply to onshore matters or to offshore matters that are not related to shipping, pilotage services, general navigation safety and port operation.

Accompanied Site Inspection (ASI2)

The ExA confirms that ASI2 is still to be held on 15 April 2019 to the Port of Tilbury, Tilbury 2 and to London Gateway Port, in Essex. A separate final itinerary confirming all arrangements for this ASI has been published separately to this letter.

Consequential changes to the Examination Timetable

In finalising the amended Examination Timetable, the ExA has decided to make consequential changes to the timing of its second round of written questions (ExQ2), to add a third round of written questions (ExQ3) and to amend the timing for a possible request for information under Rule 17 of the Examination Procedure Rules (EPR) (if required). An additional check point for progress on SoCGs has been added at Deadline 5, on the basis that the ExA needs to ensure that discussions and agreements between the Applicant and IPs are continued and concluded in a timely manner.

In general terms, these changes respond to the need to provide an opportunity for IPs to respond to the Applicant's SEZ proposals before ISH8. They seek to recognise the likelihood of there being significant volumes of additional oral and written material associated with the April hearings, providing IPs and the ExA with short additional time periods to absorb and respond to this material before publishing relevant rounds of questions. They also seek to respond to the foreshortening of time available for the ExA to consider the SEZ proposal from that intended following the PD of 1 March 2019.

Attention is drawn to a decision to reduce the time available for the Applicant, IPs and Other Persons to respond to the Report on the Implications for European Sites (RIES) (if this is published). The ExA's reasoning is that the utility of a RIES lies in its ability to record and summarise all evidence relevant to the Habitats Regulations Assessment (HRA) process, for which reason is it normally published as close as possible to the end of an Examination, enabling all submissions and evidence on relevant changes to have been taken fully into account. Because of the proposed late submission of an ES Addendum which may contain material relevant to HRA, the ExA considers that additional time is required for IPs and Other Persons to respond to that material and for it to compile and publish its RIES before the start of the consultation period. The Planning Inspectorate's Advice Note 10 advises that '[a] minimum of 21 days will normally be allowed by the ExA within the timetable to enable Interested Parties to review the RIES and to respond to this consultation'. In deciding to reduce the consultation period, the ExA notes that this advice has still been complied with.

Procedural reasoning

I wrote to you on 1 March 2019 to set out procedural decisions and a timetable amendment following the conclusion of ISH5 on Shipping, Navigation and Maritime Safety issues (the 'PD of 1 March 2019'). In summary, the PD of 1 March 2019 provided the following arrangements for Examination:

- **That by Deadline 4** (28 March 2019) the Applicant and the relevant IPs would have completed a review of outstanding contended positions in relation to navigation risk and sea room; that the Applicant would document and submit matters agreed and matters remaining unagreed and that the IPs would submit matters unagreed.
- **That by the now cancelled Deadline 4A** (9 April) if it was necessary for ISH8 on Shipping, Navigation and Maritime Safety issues from 16 April 2019 to hear evidence on matters in contention, a list of experts whose evidence would be heard and advance written statements of evidence must be submitted.

The completion of the process provided for in the PD of 1 March 2019 relied upon the Applicant to have fully documented its revised positions relating to maritime, shipping and navigational safety considerations by Deadline 4 so that (in turn), the Applicant and relevant IPs could decide whether they wished to call evidence on remaining matters in contention at ISH8 and, if so, to submit that evidence at the now cancelled Deadline 4A.

As matters have turned out, the Applicant did not provide all of the anticipated and necessary submissions at Deadline 4. The Applicant did submit a proposal for a SEZ [[REP4-018](#)] and an updated Offshore Works Plan [[REP4-028](#)] that seek to address various concerns about the adequacy of sea room in the inshore passage and around the North East Spit expressed by the relevant IPs by delimiting areas within the proposed array area in which certain fixed structures would not be constructed. The Applicant has invited the ExA to view these as a material change to the Application before it [[REP4-001](#)]. However, the Applicant did not submit a revised Navigation Risk Assessment (NRA) providing an evidence base for the adequacy of the SEZ proposal. Nor did it submit an addendum to the Environmental Statement (ES) documenting the effects (if any) of the proposed change on the conclusions in the ES submitted with the Application. The Applicant proposed to submit these additional documents at Deadline 4A (9 April). If the PD and Examination Timetable of 1 March 2019 had remained unchanged, this would not have left sufficient time for the relevant IPs to comply with the now cancelled Deadline 4A and hence to participate fully and fairly in ISH8.

The ExA had indicated in its PD of 1 March 2019 that it was important that the Examination Timetable should be adhered to. It recorded that:

- key decisions about maritime, shipping and navigation safety issues should have been taken in principle by the Applicant and relevant IPs by Deadline 3 (D3); and
- key decisions should be given effect to in detailed terms by Deadline 4 (D4).

However, the Applicant has not taken or communicated relevant key decisions in detailed terms by Deadline 4 (D4).

The PD of 1 March 2019 set out the ExA's view that if these decisions were not taken within this timescale, whatever approach was adopted may not have sufficient time to be fully examined before the statutory deadline for the closure of the Examination on 11 June 2019. Whilst it remains open for a request to be made under s98 of PA2008 to the Secretary of State to extend the examination deadline, existing practice and experience of such requests indicates that a decision to extend would be unlikely to be supported by the Secretary of State. For this reason, the ExA considers that it is necessary for it, for the Applicant and for all IPs and Other Persons engaged in this Examination to plan on the basis that the statutory examination deadline will not be extended.

Recognising this still to be the case and the time pressures are now more substantial than they were on 1 March 2019, the ExA has taken the decisions set out in this letter, aiming to provide as much time as can now be provided for the relevant IPs to prepare for ISH8 with the benefit of a full document set from the Applicant.

Your status in the Examination and future notifications

This letter has been sent to you because you (or the body you represent) fall within one of the categories in s88(3) of the Planning Act 2008 (PA2008).

If you have made a Relevant Representation, have a legal interest in the land affected by the application or are a relevant local authority (reference numbers beginning with 'TEOW-000', 'TEOW-AFP', 'TEOW-S57' or '2001'), you have a formal status as an Interested Party in the Examination.

Interested Parties will receive notifications from the Planning Inspectorate about the Examination throughout the process and may make written and oral submissions regarding the application.

If you are a Statutory Party (ie body specified in the relevant regulations supporting the PA2008) but have not made a Relevant Representation (reference number beginning with 'TEOW-SP') you will not automatically be an Interested Party. However, you may still notify the Planning Inspectorate that you wish to be treated as an Interested Party at any point during the Examination.

Statutory Parties who have not made a Relevant Representation and do not notify us of their wish to become an Interested Party **will not** receive further correspondence in relation to the examination of this application except where matters subject to general notice (such as a timetable change) become necessary.

If you are not an Interested Party or a Statutory Party (ie a body specified in the relevant regulations supporting the PA2008), you have received this letter because you were invited to the Preliminary Meeting or to participate in the Examination as an Other Person² further to your request and/ or because it appeared to us that the Examination could be informed by your participation. Other Persons have a reference number beginning with 'TEOW-OP'. If you are an Other Person you are not an Interested Party. We have agreed that Other Persons may participate in the

² An Other Person is a person who is not an Interested Party (IP) who has been invited to participate in the Examination by the ExA

Examination and will receive notifications from the Planning Inspectorate on the same basis as if they were an Interested Party.

If you are unsure of your status within the Examination, please do not hesitate to contact the Case Team using the details at the top of this letter. Information regarding the formal status of Interested Parties and how you can get involved in the process is set out in the Planning Inspectorate's Advice Note 8 series, available here: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>.

Award of costs

You should be aware of the possibility of the award of costs against parties who behave unreasonably.

To assist understanding of what 'unreasonable behaviour' means in the context of an Examination under the PA2008, you may find it helpful to read the government guidance 'Awards of costs: examinations of applications for development consent orders' (July 2013)³. It is in everyone's interest that information is brought forward as early as possible in the examination process, so you are encouraged to do so.

Management of information

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted by the ExA) and a record of any advice which has been provided and all examination documents are published at: <https://infrastructure.planninginspectorate.gov.uk/projects/South%20East/Thanet-Extension-Offshore-Wind-Farm/>

Annex D to the **Rule 8 Letter** of **18 December 2018** advises of locations where electronic documents can be inspected if you do not have access to your own computer or equivalent device. Those locations have not changed.

Please note that in the interest of facilitating an effective and fair examination, we consider it necessary to publish some personal information. To find out how we handle your personal information, please view our Privacy Notice.

We look forward to continuing to work with all parties in the examination of this application.

Yours faithfully

Rynd Smith

Lead Member of the Examining Authority

³ <https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

Annexes

A Amended Examination Timetable

B Persons requiring simultaneous electronic service

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

Amended Examination Timetable

Item	Matters	Due Dates
1-18	<p>Previous Items</p> <p>Items 1 -18 of the approved Examination Timetable published on 18 December 2018 and as amended from 1 March 2019 have been delivered as per that Timetable and are not repeated here. Items from 18 of that Timetable are replaced by items from 18C in this Timetable and that Timetable is cancelled.</p> <p>Due to only partial compliance by the Applicant with Deadline 4, Items 18A and 18B of the Timetable published on 1 March 2019 have been cancelled. Consequential amendments to the remaining timetable are also required and are recorded below.</p>	<p>All from 11 December 2018 to 15 April 2019</p>
18C	<p>Publication by ExA of:</p> <ul style="list-style-type: none"> • The ExA's Procedural Decision(s) to address matters raised at Deadline 4 (D4) but not specifically provided for in this timetable and procedural decisions made on 1 March 2019. 	<p>Wednesday 03 April 2019</p>
18D	<p>Deadline 4B</p> <p>Deadline for receipt from the Applicant of:</p> <ul style="list-style-type: none"> • A revised Navigation Risk Assessment (NRA) to support the SEZ proposal submitted at Deadline 4; • An addendum to the Environmental Statement (ES) assessing the SEZ proposal submitted at Deadline 4; and • Any other documents required to record and justify the SEZ proposal submitted at Deadline 4 and that were not submitted at Deadline 4. 	<p>Friday 05 April 2019 (5.00pm)</p>

Item	Matters	Due Dates
	In addition to submission of these documents to the ExA, the Applicant must simultaneously electronically distribute the documents to the persons listed in Annex B .	
18E	<p>Publication by ExA of:</p> <ul style="list-style-type: none"> • The ExA's Further Written Questions (ExQ2) (Note – further questions addressing the Structures Exclusion Zone (SEZ) proposal submitted by the Applicant at Deadline 4 and other matters as required may also be published at Item 27 below.) 	Wednesday 10 April 2019
18F	<p>Deadline 4C Deadline for receipt of:</p> <ul style="list-style-type: none"> • Lists of ports, shipping, pilotage and navigation safety experts intending to appear at ISH8. • Submission of statements of evidence to be prepared by or for the Applicant and/ or IPs requesting to be heard to inform ISH8. <p>In addition to submission of these documents to the ExA, the Applicant and IPs the Applicant must simultaneously electronically distribute the documents to the persons listed in Annex B.</p>	Wednesday 10 April 2019 (11.59pm)
19	Accompanied Site Inspection 2 (ASI2) at the Thames Ports ¹² (itinerary subject to final confirmation)	Monday 15 April 2019 (all day)
20	Issue Specific Hearing 8 (ISH8) Part 1 ISH8 (Part 1) on Environmental, Shipping, Maritime, Fishing and other matters.	Tuesday 16 April 2019 (all day)

Item	Matters	Due Dates
21	<p>Issue Specific Hearing 8 (ISH8) Part 2</p> <p>ISH8 (Part 2) on Environmental, Shipping, Maritime, Fishing and other matters.</p>	<p>Tuesday 16 April 2019 (evening)</p>
22	<p>Issue Specific Hearing 8 (ISH8) Part 3</p> <p>ISH8 (Part 3) on Environmental, Shipping, Maritime, Fishing and other matters</p>	<p>Wednesday 17 April 2019 (all day)</p>
23	<p>Compulsory Acquisition Hearing (CAH2)</p> <p>CAH2</p>	<p>Thursday 18 April 2019 (morning)</p>
24	<p>Issue Specific Hearing 9 (ISH9)</p> <p>ISH9 on the draft Development Consent Order (dDCO)</p>	<p>Thursday 18 April 2019 (afternoon)</p>
25	<p>Deadline 5</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Revised and progress versions of SoCGs • Responses to ExA's Further Written Questions (ExQ2) • Comments on Applicant's revised dDCO • Responses to any further information requested by the ExA (specifically including any 'action points' arising from hearings) • Post hearing submissions including written submissions of oral case • Comments on any additional information/ submissions received by Deadline 4 and 4C 	<p>Monday 29 April 2019 (11.59pm)</p>

Item	Matters	Due Dates
26	Publication by the ExA of: <ul style="list-style-type: none"> • The ExA's preferred dDCO or dDCO commentary (if required) 	Tuesday 7 May 2019
26A	Publication by the ExA of: <ul style="list-style-type: none"> • Report on the Implications for European Sites (RIES) (if required) 	Tuesday 14 May 2019
27	Publication by the ExA of: <ul style="list-style-type: none"> • The ExA's Further Written Questions (ExQ3) (if required) 	Thursday 16 May 2019
28	<p>Deadline 6</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Final SoCGs • Responses to ExA's Further Written Questions (ExQ3) (if published) • Comments on responses to the ExA's Further Written Questions (ExQ2) • Comments on the ExA's preferred dDCO or dDCO commentary (if required) • Comments on the RIES (if published) • Responses to any further information requested by the ExA • Comments on any additional information/submissions received by Deadline 5 	Tuesday 28 May 2019 (11.59pm)

Item	Matters	Due Dates
28A	Publication by the ExA of: <ul style="list-style-type: none"> • The ExA's Further requests for information under EPR Rule 17 (if required) 	Thursday 30 May 2019
28B	Deadline 6A Deadline for receipt of: <ul style="list-style-type: none"> • Responses to the ExA's Further requests for information under EPR Rule 17 (if required) 	Monday 3 June 2019
29	Deadline 7 Deadline for receipt of: <ul style="list-style-type: none"> • Comments on responses to the ExA's Further Written Questions (ExQ3) • Comments on responses to the ExA's Further requests for information under EPR Rule 17 (if required) • Responses to comments on the ExA's draft DCO or dDCO commentary (if required) • Responses to comments on the RIES (if published) • Responses to any further information requested by the ExA • Comments on any additional information/submissions received by Deadline 6 • Statements of matters not agreed (in circumstances where a SoCG could not be finalised by Deadline 6) • Final DCO to be submitted by the Applicant in the SI template with the SI template validation report 	Thursday 6 June 2019 (11.59pm)

Item	Matters	Due Dates
	<ul style="list-style-type: none"> • Applicant's Tracking List of SoCGs and agreements identifying any changes since Deadline 3 • Applicant's Tracking List of Application Documents and Plans identifying any changes since Deadline 3 • Applicant's Tracking List of changes to mitigation measures, identifying any changes since Deadline 3 	
30	The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.	Tuesday 11 June 2019

Deadlines

Where a deadline is set on a date for the submission of any documents to the ExA, the documents must be received by the ExA by 11:59pm on that day unless the timetable makes specific alternative provision. Persons submitting documents in person are requested to ensure that they allow sufficient time for collation and transmission, to ensure that submissions do not breach this time requirement. The Planning Inspectorate office closes at 5pm and persons submitting hard copy documents in person must ensure that they are received before the office closes. Where hard copy documents are submitted by post or courier, persons submitting documents must ensure that sufficient time is allowed for delivery no later than last post on the deadline day. The acceptance of documents received after the expiry of a deadline is subject to the exercise of discretion by the ExA.

Please note that certain revised Deadlines are now subject to a requirement for the simultaneous electronic distribution of documents to relevant IPs. Further guidance on this process is provided in **Annex B**.

Publication dates

All information received will be published on the project page of the National Infrastructure Planning website as soon as practicable after each deadline for submissions. An Examination Library will be kept up to date throughout the Examination and can be accessed via the project page. Each document will be provided with a unique reference. These references will be used by the ExA during the Examination and can be obtained from:

<https://infrastructure.planninginspectorate.gov.uk/document/EN010084-000737>

Hearing agendas

We will aim to publish a detailed draft agenda for each hearing on the project page of the National Infrastructure Planning website at least five working days in advance of the hearing date. The actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

Report on the Implications for European Sites

Given that the Applicant has provided a Habitats Regulations Assessment (HRA) Report to inform an appropriate assessment with the DCO application ([\[APP-031\]](#), [\[APP-032\]](#) and [\[APP-033\]](#)), the ExA may decide to issue a Report on the Implications for European Sites (RIES) during the Examination. If issued, the RIES will be a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of its issue, for the purposes of enabling the Secretary of State as competent authority to fulfill the requirements of the Habitats Regulations. It does not set out the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of the Habitats Regulations and/ or Regulation 28 of the Offshore Marine Regulations.

Guidance on persons to receive simultaneous electronic distribution

Examination Timetable Deadlines 4B and 4C provide that in addition to the submission of documents to the ExA, the Applicant and/ or IPs and Other Persons as relevant must at the same time and in any case prior to the deadline, distribute copies of all submitted documents by email to the relevant persons in the following list (simultaneous electronic distribution). It is the responsibility of the Applicant, IPs and Other Persons submitting documents subject to this provision to assure themselves that they have correct email addresses for the persons entitled to receive documents by simultaneous electronic distribution, before the day of the relevant deadline.

Reason: to maximise the time available for the Applicant, IPs and Other Persons to intending to participant in the hearing of maritime, shipping and navigation safety matters at ISH8 to read and respond to relevant documents.

Relevant Persons

The Applicant
Maritime and Coastguard Agency
Trinity House
Marine Management Organisation
Kent County Council
Dover District Council
Thanet District Council
Port of London Authority
Estuary Services Ltd
London Pilots Council
Port of Tilbury London Ltd
London Gateway Port Ltd
Thanet Fishermen’s Association